DOUGLASTOWN

MUNICIPAL PLAN

Prepared for the
Village of Douglastown, N.B.

by

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Department of Municipal Affairs
Province of New Brunswick
January 1982

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ACKNOWLEDGEMENTS

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BY-LAW NO. 20

MUNICIPAL PLAN BY-LAW

The Council of the Village of Douglastown, under authority vested in it by Section 24 of the Community Planning Act, enacts as follows:

1. (a) A Municipal Plan for the physical development and improvement of the municipality is hereby adopted.

(b) The document entitled "Village of Douglastown Municipal Plan" and dated January 1982, attached as Schedule "A", constitutes the Municipal Plan mentioned in subsection (a).

2. By-law No. 19 is hereby repealed.

READ FIRST TIME: January 28, 1983

READ SECOND TIME: January 28, 1983

READ THIRD TIME AND ENACTED: February 1, 1983

J. Ann Boussella
Clerk

Mayor

PURPOSE AND BASIS OF THE PLAN

This Municipal Plan has been prepared in accordance with the provisions of the Community Planning Act of New Brunswick. Its purpose is to establish a comprehensive framework for the orderly development of the Village of Douglastown. Therefore, this Plan is a statement of general intent and of specific policies which will guide the designation and distribution of existing and future land uses, as well as provide for the economic and efficient delivery of public utilities and services.

In essence, this Plan is a rational declaration of Douglastown's prevailing community values in terms of the way it wishes to manage its resources. It provides a framework in which all public and private development shall take place in coming years. Upon its adoption by Council as a By-law, this Plan will constitute a legal document which shall be implemented through the enactment (or updating) of various implementation by-laws, or through public works programs. However, this Municipal Plan should not be considered a static document. In order to best reflect changing community needs and conditions, it must constantly be reviewed and revised by Council so as to remain an effective statement of planning goals.

1. DEVELOPMENT POLICIES

1.1 General - Urban Development Area Phasing Policy

Orderly growth within the Village of Douglastown will be facilitated through the establishment of two Development Areas. The objective of creating an Urban Development Area Phasing Policy is to ensure that future urban development is located in areas which can be economically serviced. By approaching development in this manner, the financing of necessary public works can be undertaken by the municipality without undue burden on the taxpayers and without endangering Douglastown's financial position.

1.1.1 Policies on the Sequence of Development

The Village shall ensure that all development and all public works are undertaken in accordance with the phasing program as set out hereunder, except that where a commercial or institutional use--which does not require the construction of municipal services--is to be established, the Village may permit such use in an area in advance of the staging program.

1.1.2 Implementation of Phasing Policy

The Village shall ensure that development takes place in two phases. The conditions under which development shall be allowed are as follows:

Development Area 1

It is intended that the extension of services in Development Area 1 shall follow an orderly pattern. In general, those parts of the area closest to the water and sewage lines will be serviced first. Development shall be permitted in Development Area 1 providing:

(a) that any proposal is served by piped municipal water and sanitary sewer services; and

(b) that where an extension to trunk sewers or water services is required to serve a development proposal, an adequate financial contribution toward the cost of extending the services is made to the Village.

Development Area 2

Development shall be permitted in Development Area 2 providing:

(a) that any proposal is served by piped municipal water and sanitary sewer services (with the exception of sub-section "d" as noted below);

(b) that where an extension to trunk water or sewer services is required to serve a development proposal, the provisions of Section 45(1) of the Community Planning Act shall come into force;

(c) that the cost of any public works or community facilities necessary to serve Development Area 2 will not significantly alter the Village's ratio of total debenture debt to assessment; and

(d) that where piped municipal water and sewage services are not available, applications for development shall be limited to single-family residential units situated on a lot of at least two hectares. These applications for development shall be accompanied by an engineering report indicating that there is available an adequate supply of potable water, and that soil conditions will permit the installation of a septic tank. All septic tanks shall conform to the standards established by the N. B. Department of Health.

1.1.3 Interpretation of Phasing Policy

The Council shall discourage development from taking place in a Development Area in advance of the phasing program set out above by:

(a) zoning all undeveloped land in Development Area 2 in a holding category initially. Land shall be rezoned to allow a sequence of development in accordance with the phasing program set out above; and

(b) encouraging development to take place within Development Area 1 until such time that this area is completely developed.

Schedule AA shall define the boundaries of Development Areas 1 and 2.

1.2 Core Area

In order to create a Village focus, future civic and public buildings will be concentrated within the vicinity of the Douglastown Community Centre. It shall be the policy of Council to acquire sufficient

land to meet projected needs for these municipal buildings or services.

Complementary Institutional and Commercial buildings shall also be encouraged to locate within the vicinity of the Community Centre.

1.3 Conservation and Improvement of the Physical Environment

So as to increase the well-being of Village residents, it shall be the policy of Council to strive to enhance the quality of Douglastown's physical environment. Council may undertake several measures in this regard: through the provision of municipal services such as solid and liquid waste disposal; by encouraging private improvements; and by seeking the assistance of the New Brunswick Department of Health and the New Brunswick Department of the Environment in monitoring environmental quality and developing appropriate mitigation programs.

Furthermore, it shall be the policy of Council to include in the Zoning By-law a provision for the licensing of all sand, gravel and stone excavation quarries. These quarries can leave hazardous slopes, water filled ponds, and an unattractive landscape. Moreover, removal activity is often dirty and noisy. Therefore, to ensure that this land-use and activity is carried out in a manner that protects the public,

Council shall require the aforementioned quarries to be licensed.

1.4 Mobile Home Parks and Sites By-law

All mobile homes and trailers will be limited to a mobile home park serviced with municipal sewage and water.

Section 188 of the Municipalities Act provides for the adoption of a Mobile Home Parks and Sites By-law. Council shall adopt a Mobile Home Parks and Sites By-law which makes provision for the licensing of all mobile home parks, and regulates mobile home sites as to location, size, set-backs, servicing and such other requirements as Council deems appropriate.

1.5 Transportation

Council shall improve the municipal street system when it is financially able to do so. In this regard, preference shall be given to the paving of all gravel streets in Development Area 1.

The following development standards shall apply to all newly created streets in Douglastown as well as to the upgrading of streets within the municipality:

Street Classification	Right-of-Way	Travel Portion
Arterial	20m - 30m	8m
Collector	20m	8m
Local	20m	6m - 8m

1.6 Sidewalks

When the Village is financially able to do so, sidewalks shall be provided on all streets located within the Central Commercial Zone.

It is also recommended that sidewalks be provided on all streets where the level of traffic creates inconveniences or unsafe situations for pedestrians or children.

1.7 Historical and Cultural

It shall be the policy of Council to seek to preserve those buildings within the municipality that are of historical and cultural significance.

1.8 Education Facilities

Education facilities in the Village are under the jurisdiction of School District #8. Students in Grades 1-6 attend the Gretna Green Elementary School located off Kelly Drive, while the Village's Junior High School and High School students attend class in Newcastle.

The Gretna Green Elementary School, which is two years old, was designed to accommodate 390 students. Its present enrollment is approximately 400 students. The School District expects this level of enrollment to be maintained over the next few years, and thus anticipates no problems with overcrowding. Should future school expansion be required, the present land reserve of 4.05 hectares is adequate for this purpose.

It is not anticipated that there will be sufficient need in the next few years for Junior High School or High School facilities within the Village. Therefore, it is recommended that students from Douglastown continue to use the Junior High School and High School facilities in Newcastle.

1.9 Recreation

Recreation facilities and programs within the Village are limited at present. In particular, the recreational needs of Douglastown's younger residents and senior citizens are not being adequately addressed. The completion of the new Community Centre will help alleviate this problem: its facilities will include a youth drop-in centre, meeting rooms for Scouts and Guides, and Senior Citizens quarters. These new facilities, combined with current facilities at the Elementary School and the ball field, will provide a mix of uses that more adequately meets local recreational needs.

However, public open space that provides for both active and passive activities is still needed. In this regard, it is recommended that the waterfront lands adjacent to the Community Centre be developed to include walking paths, sitting and picnic areas, ball fields, and a landscaped area. Consideration should also be given to the eventual development of a marina on this site. In

addition, Council shall give consideration to acquiring and developing park land in the eastern part of the Village, and between Kelly Drive and Williston Road, for the enjoyment and use by those in adjacent residential districts.

1.10 Cemeteries

The Village has two cemeteries within its boundaries. These cemeteries have sufficient capacity to meet local needs for a number of years.

1.11 Police Protection

Douglastown is presently provided with umbrella protection by the R.C.M.P. Given the current level of vandalism in the Village, it would appear that this form of policing is inadequate.

It is therefore recommended that Council seek to upgrade the service provided by the R.C.M.P., or work toward the establishment of a regional police force that could better meet Douglastown's policing needs.

1.12 Fire Protection

Douglastown has recently created a Volunteer Fire Department, and is in the process of constructing a fire station within the new Community Centre and purchasing additional equipment. With proper training, equipment, and facilities, the Village will soon be in a position to handle most fires within its boundaries. Back-up service will be

provided by other Miramichi area fire departments. This form of protection should be able to adequately address fire emergencies.

However, while there is a system of fire plugs in the developed part of the Village, water pressure is poor on the last half of Kelly Drive. It is therefore recommended that a booster pump be installed in this area.

1.13 Health

It would appear that Douglastown is adequately serviced by hospital and other health facilities in Chatham and Newcastle.

Therefore, it is recommended that the use of these facilities be continued.

1.14 Water

The developed part of Douglastown is serviced by a 440,000 imperial gallon standpipe located on Rennie Road, and a well off the McCosh Street extension that is capable of providing 105 imperial gallons per minute. Together, these two sources provide an adequate supply of good quality water to meet current needs, as well as those anticipated in the foreseeable future.

However, water pressure on the last half of Kelly Drive is poor. It is recommended that a booster pump be installed to increase water pressure in this area.

Furthermore, it shall be the policy of Council to ensure that the extension of water services is consistent with the Urban Development Area Phasing Policy outlined elsewhere in this plan.

1.15 Sewage

The sewage system in Douglastown, which services most of the developed part of the Village, can accommodate a population of 1500 (assuming that no substantial industrial development requires servicing). Raw sewage is processed at a Modified Extended Airation Treatment Plant which has the capacity to handle 150,000 imperial gallons per day. With the addition of another tank and sludge drying bed, this system can process 300,000 imperial gallons per day. These modifications would allow the plant to accommodate a population of 3000.

At the present time, the sewage treatment plant is operating near capacity. It is servicing 368 household equivalent units and processing 120,000 imperial gallons of sewage per day. In light of this, it is recommended that Council give consideration to the expansion of treatment plant facilities before the present system reaches capacity.

Moreover, it shall be the policy of Council to ensure that the extension of sewage services is consistent with the Urban Development Area Phasing Policy outlined elsewhere in this plan.

1.16 Solid Waste Disposal

Village residents have access to the Town of Chatham dump on the Bathurst Road. There is sufficient capacity at this site to meet area needs for quite some time.

It is recommended that Council continue its current arrangement with the Town of Chatham. In addition, it is recommended that Council give consideration to the provision of a garbage collection service when it is financially able to do so.

2. LAND-USE POLICIES

2.1 Commercial

2.1.1 Central Commercial

An area along a portion of Highway #8 has been designated Central Commercial. This area shall be limited to retail and wholesale commercial uses, professional and administrative offices, and complementary institutional uses. Mixed commercial-residential buildings may also be developed in this zone, provided that the commercial use is located on the ground floor of the structure. However, residential units will be permitted over commercial uses only where the amenities normally associated with residential areas are provided.

It shall be the policy of Council to encourage commercial uses to locate in groups. Provisions shall be made for pedestrian movement between commercial establishments and for the creation of a safe and pleasant pedestrian environment.

Establishments permitted in the Central Commercial zone shall adhere to the Parking Standards and Loading/Unloading Standards set out elsewhere in this plan. Buffering standards, as defined in the Appendix, shall also be provided where applicable. Open storage shall only be permitted at the back of buildings, and then only if it is surrounded by architectural screening.

All new buildings erected in this zone shall be set back a minimum of 15 m from any highway or street right-of-way. Care shall be taken to ensure that access points to these establishments are designed to minimize the danger to pedestrian and vehicular traffic.

Council shall also ensure that development undertaken in the Central Commercial zone is consistent with both the Urban Development Area Phasing Policy and the Core Area Policy outlined elsewhere in this plan.

2.1.2 Shopping Centre

An area along a portion of Highway #8 has been designated for use as a Shopping Centre. This land-use category recognizes an existing Shopping Centre development: i.e., a unitary type building containing such retail stores, restaurants, offices, service shops, and other establishments as are permitted by the Zoning By-law.

If applicable, further development of this Shopping Centre shall conform to Section 81.2 of the Community Planning Act. Parking Standards and Loading/Unloading Standards established elsehwere in this plan shall be enforced. Buffering standards, as defined in the Appendix, shall also be enforced where applicable and no open storage shall be permitted.

2.2 Residential

2.2.1 General Policies

All future residential development within the Village shall adhere to the provisions of the Urban Development Area Phasing Policy set out elsewhere in this plan. It shall be the policy of Council to encourage all forms of residential development to take place within Development Area 1 until such time that this area is completely developed. All future residential development within Development Area 1 shall be serviced with municipal sewage and water.

2.2.2 Lot Sizes and Permissible Development

Minimum residential lot sizes within Development Area 1 shall be as follows:

	Minimum Frontage	Minimum Depth	Minimum Area
Single Unit Family Dwellings	23m	30m	690 sq. m
Two unit Family Dwellings	28m	30m	840 sq. m
Three Unit Family Dwellings	33m	34m	1122 sq. m
Multiple Dwellings	36m, plus 1 1/2 m for each unit in excess of six	37 m	1332 sq. m, plus 68 sq. m for each dwelling unit in excess of four

Single Unit Family Dwellings shall be permitted in the Multiple Family Residential Areas as well as the Single Family Residential Areas. Lot sizes for Single Unit Family Dwellings locating in Multiple Family Residential Areas shall be the same as those locating in a Single Family Residential Area.

Two Unit, Three Unit, and other forms of Multiple Dwellings shall only be permitted in Multiple Family Residential Areas. The lot sizes defined for these units shall apply.

Single Unit Family Dwellings shall be permitted within Development Area 2 as follows:

	Minimum Frontage	Minimum Depth	Minimum Area
Single Unit Family Dwellings on lots not served by municipal sewage or water	75m	100m	2 ha
Single Unit Family Dwellings on lots served by municipal sewage and water	60m	75m	1 ha

2.2.3 Mobile Homes and Trailers

All Mobile Homes and Trailers will be limited to a mobile home park serviced with municipal sewage and water. Standards established under the Mobile Home Parks and Sites By-law shall apply. Mobile Home Parks and Sites shall be limited to Development Area 1.

2.2.4 Home Businesses

Home businesses, i.e., any occupation conducted for gain or support as an accessory use within a dwelling unit by one or more members of the family residing in such unit, may be permitted in a Residential Zone provided that no more than 25% of the unit's total floor area is used for business purposes. Such activity shall only be permitted if:

(a) the residential character of the unit is maintained;

(b) there is no outside storage of material or equipment;

(c) the use does not generate excessive truck movements for pick-up and delivery;

(d) there is no display of goods or advertising other than a small non-illuminated sign; and

(e) no excessive on-street parking or noise is generated.

2.2.5 Other Non-Residential Uses

Other non-residential uses which are complementary to and serve the needs of the residential area may also be permitted. These may include schools, day care centres, parks, churches, and public utilities. These non-residential uses shall be sited so as to minimize their effect on adjacent residential uses. Buffering, as defined in the Appendix shall be provided where applicable.

2.2.6 Off-Street Parking Standards

Off-street parking standards established elsewhere in this plan shall apply to all future development in Residential zones.

2.3 Rural

The Rural classification of land shall mean that the predominant use of land in the areas so designated shall be for agricultural, forestry, or conservation purposes. Other uses permitted shall include a private air field or motor vehicle race track; a sand or gravel excavation quarry; a recreational or community use; and limited residential, commercial, or institutional uses that are consistent with the Urban Development Area Phasing Policy.

The general principles to be considered in the development of the Rural area are as follows:

(a) intensive new farming operation uses in close proximity to Residential Areas shall not be permitted, and the modification or enlargement of any existing operation shall have regard for regulations established under the New Brunswick Health Act;

(b) residential development shall be consistent with the guidelines established under the Urban Development Area Phasing Policy. Development standards established for Residential Areas shall apply;

(c) commercial and institutional uses shall be consistent with the guidelines established under the Urban Development Area Phasing Policy; and

(d) all sand or gravel excavation quarries shall be licensed.

2.4 Institutional

Institutional areas have been designated in recognition of existing public buildings and offices, churches, cemeteries, and the elementary school. Provisions have been made in this plan for the location of future institutional uses within the Residential, Central Commercial, and Rural areas, if required.

It shall be the policy of Council to ensure that any future Institutional use of land is consistent with both the Core Area policy and the Urban Development Area Phasing Policy. Parking Standards, Loading/Unloading Standards, and Buffering requirements established elsewhere in this plan shall be applied where appropriate.

2.5 Industrial

All future industrial or manufacturing activities shall be located in an industrial area to be determined by Council. The Council shall adhere to the provisions of the Urban Development Area Phasing Policy in selecting an industrial area. At such time that it is selected, an amendment to this plan will be required.

Industries locating in this area shall be of a non-polluting nature. Industries will be approved only if the nature of the activity is such that no air, ground, or water pollution will occur or that adequate provisions to prevent this have been made. Ancillary activities such as service stations or canteens which are incidental to, or have similar characteristics and functional requirements to, industrial operations shall also be permitted in the industrial area.

All industries locating in this area must provide off-street parking facilities for employees and customers. The standards established elsewhere in this plan shall apply. Similarly, all industries locating in this area must provide off-street loading/unloading facilities in accordance with the standards established in this plan.

Where applicable, industries shall also be required to adhere to the Buffering standards established elsewhere in this plan.

2.6 Parks

The Parks classification of land shall mean that the predominant use of land in the areas so designated shall primarily be for outdoor recreation. Other recreation facilities that are integrated with the principal outdoor recreation use shall also be permitted.

Where any lands designated for Parks use are under private ownership, this plan does not intend that this land will necessarily remain for Parks use indefinitely, nor shall it be construed as implying that these areas are free and open to the general public or that lands will be purchased by a public authority. At any particular time, if proposals to develop such lands that are in private ownership are made, and the Municipality does not wish to purchase such lands in order to maintain them for Parks use, then an application for the redesignation of such lands for other purposes shall be considered by the Municipality, having regard for the characteristics of the land, the proposed use, and the policies and objectives of this plan.

Where recreation projects are designed for public uses, adequate automobile parking areas shall be provided, and access points to the parking areas shall be designed in such a manner that they will minimize the danger to pedestrians.

2.7 Environmental Protection Area

No residential dwelling shall be constructed within 100m of the Sewage Treatment Plant.

3.1 Implementation By-laws

Upon its enactment by Council as a by-law, this Municipal Plan constitutes a legal document which shall be implemented through the adoption of (or revision to) various implementation by-laws. These implementation by-laws shall include a Zoning by-law, a Subdivision by-law, a Building by-law, a Mobile Homes Parks and Sites by-law, and such other by-laws as Council deems appropriate. All implementation by-laws shall conform to this Municipal Plan.

3.2 Public Works Programs

All Public Works programs undertaken by the municipality shall conform to this Municipal Plan.

3.3 Non-Conforming Uses

The municipality shall prepare and enact a Zoning By-law regulating land-use designations and policies set out in this plan. Existing Uses that do not comply with the land-use designations established by the Zoning By-law may continue as legal non-conforming uses.

A legal non-conforming use shall cease when:

(1) it is discontinued for a period of four months, or such further period as the Planning Commission considers fit; or

(2) the building or structure has been damaged to the extent of at least half of the whole (excluding the foundation), unless the Planning Commission agrees that it should be rebuilt.

3.4 Amendment to the Municipal Plan By-law

The Municipal Plan is a document which can be altered to suit changing needs. The Community Planning Act requires that the Municipal Plan be reviewed every five years. However, it may be amended at any time within this period provided that the requirements of the Community Planning Act are met. These provisions include the requirement that the people of the community be given notice that the plan is going to be amended. The Act further requires that the Council hear objections to any proposed amendment.

Amendments are sometimes necessary when a policy, proposal, or standard established in the plan no longer suit the best interests of the community as a whole. However, amendments which accommodate individual preference, and not the best interest of the whole community undermine the effectiveness of the plan and should therefore be avoided.

A-1 Parking Standards

Off-street vehicular parking spaces, not less than eighteen square metres in area and with adequate access, shall be provided as follows:*

(a)	for a business or professional office, medical or dental clinic	one space for every thirty-six square metres of gross floor area;
(b)	for a church, club, lodge, or place of public assembly	one space for every eight persons normal attendance;
(c)	for a dwelling	one space for each dwelling unit, plus one additional space for every four dwelling units;
(d)	for a factory	one space for every thirty-six square metres of floor space used for industry except storage;
(e)	for a hotel	one space for every two bedrooms;
(f)	for a motel	one space for every habitable unit;
(g)	for a public or private school	one space for every classroom;
(h)	for a residential building, other than a hotel, motel, or apartment building	one space for every habitable unit;
(i)	for a restaurant	one space for every eighteen square metres of public floor area;
(j)	for a retail store	one space for every eighteen square metres of floor area used for selling;

(k)	for a service or repair shop	one space for every twenty-seven square metres of floor area used for providing services;
(l)	for a shopping centre	three times the ground floor of the building;
(m)	for a theatre, billiard or pool room, dance hall, or bowling alley	one space for every eight persons normal attendance;
(n)	for an undertaking establishment	one space for every eight seats with a minimum of four spaces; and
(o)	warehouse, storage yard, or transportation yard	one space for every thirty-six square metres of storage space.

Except for parking spaces for motel patrons, no parking space is permitted nearer than two metres from a wall containing windows to habitable rooms.

* Adopted from Regulation 81-126 under the Community Planning Act.

A-2 Loading/Unloading Standards

Off-street spaces not less than nine metres long, three and one-half metres wide, and four metres high, with access thereto, shall be provided for loading/unloading for every building or structure used for any purpose involving the use of vehicles for the receipt or distribution of materials, in the following numbers:*

Total Floor Area	Number of Spaces
Up to and including one thousand seven hundred and twenty-seven square metres;	1
Over one thousand seven hundred and twenty-seven square metres and up to and including four thousand five hundred and forty-five square metres;	2
For each additional four thousand five hundred and forty-five square metres or major portion thereof.	1

*Adopted from Regulation 81-126 under the Community Planning Act.

A-3 Buffering Standards

Adequate buffering shall be required between land uses where the enjoyment and functioning of one land use is adversely affected by the adjacent and differing land use.

A buffer may consist of any one or combination of the following forms:

(a) green belt area;

(b) landscaped strips, row of trees and/or bushes and grassed areas;

(c) architectural screening such as perforated or solid walls, fences, etc.; and

(d) separation of uses by increasing distance between them.